

Notice of Allowability

Application No.

10/762,813

Applicant(s)

RABINOWITZ, MARIO

Examiner

Tuyen Q. Tra

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/27/2004.
2. ☒ The allowed claim(s) is/are 1-6 and 8-21.
3. ☒ The drawings filed on 22 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>0205</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mario Rabinowitz on February 28, 2005.
3. The application's specification has been amended as follows:
 - Claim 7 is canceled.
 - Claim 1, line 3, "means for" has been amended as -- a voltage for--.
 - Claim 1, line 7, "means for" has been amended as -- a micro-processor for --.
 - Claim 1, line 8, "e) means" has been amended as -- said micro-processor--.
 - Claim 8, line 8, "mean of" has been amended as -- utilizing --.
 - Claim 15, line 4, "means for" has been amended as -- a voltage for--.
 - Claim 15, line 8, "means for" has been amended as -- a micro-processor for--.
 - Claim 15, line 9, "e) means" has been amended as -- said micro-processor--.
 - Claim 11, line 2, "mean of" has been amended as -- utilizing --.
 - Claims 12 and 13, line 2, "mean of" has been amended as -- utilizing --.
 - Claim 14, line 2, "mean of" has been amended as -- utilizing --.
 - Claim 21, lines 1-2, "the means for producing" has been deleted.
 - Claim 21, line 2, "an intermittent" has been amended as -- produced by --.

Reason For Allowance

4. Claims 1-6 and 8-21 are allowed.
5. Following is an examiner's statement of reasons for allowance:

The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in independent claims 1, 8 and 15, which include (claims 1 and 15) a voltage source for producing an induced electric dipole in each of the rotatable micromirror; (claim 8) the steps for producing an induced electric dipole in each of the rotatable micromirror for concentrating solar energy.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a) Rabinowitz et al. (US Patent 6,738,176 B2) discloses a dynamic multi-wavelength switching ensemble in Figure 5 comprising of mirror-embedded balls (2), a surrounding medium (18), a electric means for aligning the mirrors; however, Rabinowitz et al. does not teach or suggest a voltage source for producing an induced electric dipole in each of the rotatable micromirror; and/or the steps for producing an

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induced electric dipole in each of the rotatable micromirror for concentrating solar energy.

b) Davidson et al. (US Patent 6,612,705B1) discloses a minioptic solar energy concentrator in Figure 9 comprising of mirror-embedded balls (2), a surrounding medium (18), a electric means for aligning the mirrors; however, Davidsion et al. does not teach or suggest a voltage source for producing an induced electric dipole in each of the rotatable micromirror or/and the steps for producing an induced electric dipole in each of the rotatable micromirror for concentrating solar energy.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyen Tra whose telephone number is (571) 272-2343. The examiner can normally be reached on Monday to Thursday from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps, can be reached on (571) 272 - 2328. The fax number for this Group is (703) 872-9306.

tt

February 28, 2005


Hung Xuan Dang
Primary Examiner